

C. D. Michel – SBN 144258
Tiffany D. Cheuvront – SBN 317144
Joshua Robert Dale – SBN 209942
MICHEL & ASSOCIATES, P.C.
180 E. Ocean Blvd., Suite 200
Long Beach, CA 90802
Telephone: (562) 216-4444
Facsimile: (562) 216-4445
cmichel@michellawyers.com

Attorneys for Plaintiffs Adam Richards, Jeffrey Vandermeulen, Gerald Clark, Jesse Harris, On Target Indoor Shooting Range, LLC, Gaalswyk Enterprises, Inc. (D/B/A Smokin' Barrel Firearms), Gun Owners of California, Inc., Gun Owners of America, Inc., Gun Owners Foundation, and California Rifle & Pistol Association, Incorporated

Donald Kilmer – SBN 179986
Law Offices of Don Kilmer, APC
14085 Silver Ridge Rd.
Caldwell, Idaho 83607
Telephone: (408) 264-8489
Don@DKLawOffice.com

Attorney for Plaintiff Second Amendment Foundation

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

ADAM RICHARDS, et al.,

Plaintiffs,

V.

GAVIN NEWSOM, et al..

Defendants.

Case No.: 8:23-cv-02413 JVS (KESx)

**STIPULATION TO EXTEND TIME
ON BRIEFING AND CONTINUE
HEARING DATE ON
DEFENDANTS' MOTION TO
DISMISS COMPLAINT**

Hearing Date: July 1, 2024
Hearing Time: 1:30 p.m.
Courtroom: 10C
Judge: Hon. James V. Selna

Pursuant to Local Rule 8-3, Plaintiffs and Defendants in the above-captioned action (collectively, “the Parties”), through their respective attorneys of record, hereby stipulate and request as follows:

1. On April 18, 2024, Defendants filed their motion to dismiss the Complaint, currently set for hearing on **July 1, 2024, at 1:30 p.m.**;

1 2. On May 8, 2024, the Ninth Circuit Court of Appeals issued its order
 2 upholding the lower court's dismissal of the matter of *Doe v. Bonta*, Case No. 23-
 3 55133. In its decision, the Ninth Circuit held, among other findings, that as to
 4 firearms owners, in certain instances there is no informational privacy right in the
 5 information retained by the government as to the history of firearms owned and
 6 purchased by an individual;

7 3. As a result of the Ninth Circuit's ruling on *Doe v. Bonta*, Plaintiffs believe
 8 their claims and causes of action in this action predicated on a right of privacy,
 9 including their 42 U.S.C. § 1983 causes of action alleging violation by Defendants
 10 of Plaintiffs' First Amendment, Second Amendment, Fourth Amendment and
 11 Fourteenth Amendment rights, may no longer be viable, or may be severely
 12 circumscribed as to the relief that may be sought and the plaintiffs who are entitled
 13 to seek such relief;

14 4. In light of this potential, Plaintiffs desire time to analyze the *Doe v. Bonta*
 15 decision and consult with their counsel to determine whether it would be prudent to
 16 dismiss their claims altogether or to amend them to circumscribe their breadth and
 17 requested relief to conform with the holding in *Doe v. Bonta*; and

18 5. Upon conference of the Parties' counsel, the Parties have agreed that it
 19 would conserve the Parties' and the Court's resources to extend the current briefing
 20 schedule on Defendants' motion to dismiss to allow Plaintiffs an opportunity to
 21 make such a determination and spare the Parties and the Court unnecessary briefing
 22 of and other preparation on the motion if the motion is to be mooted by a voluntary
 23 amendment or dismissal of the Complaint.

24 6. The Parties stipulate and hereby request the Court amend its order on the
 25 briefing and hearing schedule for Defendants' motion to dismiss the Complaint to
 26 reflect the following:

27 a. Plaintiffs' deadline to file an opposition to the motion to dismiss is
 28 continued to **June 7, 2024**;

b. Defendants' deadline to file a reply in support of the motion to dismiss is continued to **June 28, 2024**;

c. The Parties propose that the current hearing on the motion be continued to **July 15, 2024 at 1:30 p.m.**, or as soon thereafter as the Court may have available on its calendar to hear the motion.

NOW THEREFORE, the Parties stipulate to and respectfully request that the Court issue an order setting the aforementioned amended briefing and hearing schedule on Defendants' motion to dismiss.

Dated: May 15, 2024

MICHEL & ASSOCIATES, P.C.

s/ Joshua Robert Dale

Joshua Robert Dale

Attorneys for Plaintiffs Adam Richards, Jeffrey Vandermeulen, Gerald Clark, Jesse Harris, On Target Indoor Shooting Range, LLC, Gaalswyk Enterprises, Inc. (D/B/A Smokin' Barrel Firearms), Gun Owners of California, Inc., Gun Owners of America, Inc., Gun Owners Foundation, and California Rifle & Pistol Association, Incorporated

Dated: May 15, 2024

LAW OFFICES OF DONALD KILMER, APC

s/ Donald Kilmer

Donald Kilmer

Attorney for Plaintiff Second Amendment Foundation

Dated: May 15, 2024

Respectfully submitted,

ROB BONTA

Attorney General of California

MARK BECKINGTON

Supervising Deputy Attorney General

s/ Todd Grabarsky

TODD GRABARSKY

Deputy Attorney General
Att. Gen. of California

Attorneys for California Governor Gavin Newsom and Attorney General Rob Bonta in their official capacities

ATTESTATION OF E-FILED SIGNATURES

I, Joshua Robert Dale, am the ECF User whose ID and password are being used to file this STIPULATION TO EXTEND TIME ON BRIEFING AND CONTINUE HEARING DATE ON DEFENDANTS' MOTION TO DISMISS COMPLAINT. In compliance with Central District of California L.R. 5-4.3.4, I attest that all signatories are registered CM/ECF filers and have concurred in this filing.

Dated: May 15, 2024

s/ Joshua Robert Dale
Joshua Robert Dale

CERTIFICATE OF SERVICE
IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Case Name: *Richards, et al. v. Newsom, et al.*
Case No.: 8:23-cv-02413 JVS (KESx)

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

I am not a party to the above-entitled action. I have caused service of:

**STIPULATION TO EXTEND TIME ON BRIEFING AND CONTINUE
HEARING DATE ON DEFENDANTS' MOTION TO DISMISS
COMPLAINT**

on the following party by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them:

Todd Grabarsky
Deputy Attorney General
todd.grabarsky@doj.ca.gov
Christina R.B. Lopez
Deputy Attorney General
christina.lopez@doj.ca.gov
Office of the Attorney General for California
300 South Spring Street, Suite 1702
Los Angeles, CA 90013
Telephone: (213) 269-6044
Attorneys for Defendants

I declare under penalty of perjury that the foregoing is true and correct.

Executed May 15, 2024.

Laura Palmerin